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SEP 01 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor(s): Haltmeyer, John Art Unit: 2624
Serial No.: 09/693,245 Examiner: Carl Reitz
Filed: 20 October 2000

Invention: "PRINTER MANAGEMENT PROTOCOL"

* * *

DECLARATION UNDER 37 CFR SECTION 1.137(b)(1)

The Honorable Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

I, Royal W. Craig, being duly sworn, states that I am presently attorney of record in the above-captioned case. I further declare and state the following.

1. The subject application became abandoned for failure to respond to the Official Action dated 17 May 2004.
2. Said failure to respond resulted from official correspondence from the Patent Office which applicant failed to timely receive.
3. The Patent Office issued the Official Action in the above-identified case dated 17 May 2004. The Official Action was mailed to an older address, and while the undersigned thought that mail was still being forwarded (we timely received all other correspondence in this case), we did not receive this

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particular correspondence. A review of the file shows that no change of address form was filed, this apparently being Applicant's oversight inasmuch as such forms were filed in all other pending matters with the PTO. In any case, the Examiner was kind enough to fax us another copy on 14 December 2004.

4. The undersigned immediately contacted the assignee, determined how best to respond to the Official Action, and prepared and filed a Response along with this Petition to Revive based on unintentional abandonment under 37 C.F.R. 1.137(b).

* * * * *

While it is believed that precautions were taken which should have avoided the circumstances which caused the abandonment, the initial non-receipt of the Official Action has led to the unintentional failure to respond.

I declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

I further declare that these statements were made with the knowledge that

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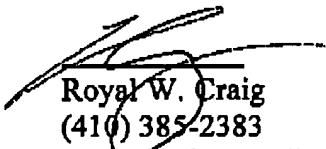
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willful false statements and the like so made are punishable by fine or imprisonment, or by both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-referenced trademark.

Respectfully submitted,



Royal W. Craig
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Attorney for Applicant
Reg. No. 34,145

Date 7/7/05

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